

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jose Alfredo AGUILAR-Pedrasa  
AKA: Rodolfo SALINAS

Defendant.

) Magistrate Case No.

) '08 MJ 1109

) COMPLAINT FOR VIOLATION OF:

) Title 8, U.S.C., Section 1326;  
) Deported Alien Found in the  
) United States

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The undersigned complainant, being duly sworn, states:

On or about, **March 27, 2008**, within the Southern District of California, defendant, **Jose Alfredo AGUILAR-Pedrasa**, (AKA: Rodolfo SALINAS) an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

Deportation Officer

U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **11th** DAY OF **APRIL 2008**.



UNITED STATES MAGISTRATE JUDGE

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### PROBABLE CAUSE STATEMENT

On March 27, 2008, the defendant identified as **Jose AGUILAR-Pedrasa** (aka: Rodolfo SALINAS), was apprehended 20 miles South of Tecate, California, by U.S. Border Patrol. The U.S. Border Patrol Agent identified himself to the defendant and conducted a field interview and asked questions as to his citizenship and Immigration status. Defendant freely stated he was a citizen and national of Mexico without any documents to enter or remain legally in the United States. Defendant was taken into custody for illegal entry and transported to the U.S. Border Patrol Station. During routine record checks, it was revealed that the defendant had violated his parole. Defendant was turned over to the San Diego Sheriff's Office and booked into County Jail. U.S. Border Patrol placed an Immigration Detainer (Form I-247) pending his release from County Jail.

On April 10, 2008 the defendant was referred to the custody of the United States Immigration and Customs Enforcement (ICE), Field Office in San Diego, California. An Immigration Officer conducted computer database record checks and reviewed various sources of information confirming the defendant to be a citizen of Mexico having been deported or removed from the United States on at least one occasion.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant had been ordered removed from the United States by an Immigration Judge on or about January 27, 2000 and removed to Mexico on February 1, 2000. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System (IDENT) and Automated Fingerprint Identification System (IAFIS) were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as, **Jose Alfredo AGUILAR-Pedrasa** (AKA: Rodolfo SALINAS), a citizen and national of Mexico.